REMARKS

This amendment is filed in response to the FINAL Office action dated May 18, 2004. All objections and rejections are respectfully traversed. Reconsideration of the application as amended is respectfully requested.

Claims 1-21 are in the case. Claim 13 has been canceled without prejudice. Claim 8 has been re-written to incorporate the claimed matter of canceled claim 13. Claim 14 has been amended to make it dependent on claim 8 instead of the canceled claim 13.

§102

At paragraph 3 of the Office action claims 1, 2, 7-9, 11, 13-18, 20 and 21 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,185,611 to Waldo et al., hereinafter "Waldo."

Representative claim 1 recites in relevant part:

> 1. A method for use in a computer network having a process manager and a network management station for reporting to the network management station the addition of new applications or processes to the computer network, the method comprising the steps of:
>
> .
> .
> .
>
> in response to receiving the registration service request at the process manager, ***generating and forwarding a notification message that identifies the new application or process*** to the network management station; ...

Applicant respectfully submits that Waldo fails to teach, either explicitly or inherently, Applicant's claimed generating and forwarding a notification message that identi-

fies the new application or process to the network management station in response to receiving a registration service request.

In the Office action, the Examiner equates Applicant's claimed notification message with "notifications" described in Waldo. Applicant respectfully submits that the notifications described in Waldo are not the same as the notification message claimed by Applicant.

The MPEP at §2131 states "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131 quoting Verdegall Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits the Commissioner has not met this standard.

First, Waldo fails to explicitly teach or suggest Applicant's claimed "in response to receiving the registration service request at the process manager, ***generating and forwarding a notification message that identifies the new application or process to the network management station***." As the Examiner has noted correctly, Waldo does teach a notification that may be used to notify client programs that an update to a lookup service has occurred. See Col. 2, lines 57-59, Col. 11, lines 36-37. However, this notification involves a "callback routine" that is invoked when the lookup service is updated. Further, Waldo describes the callback routine as a **function that is invoked** when the lookup service is updated. See Col. 11, lines 37-41, Fig. 3B.

As Applicant has noted previously, invoking a callback routine (i.e., invoking a function) as described by Waldo is not the same as Applicant's claimed ***generating and***

forwarding a notification message. Invoking a function involves calling a software routine. Thus, the notification mechanism taught by Waldo involves the process manager calling a software routine that the client has registered with the process manager. Calling a software routine is quite different than generating a notification message and forwarding that message to the client (i.e., network management station), as is claimed by Applicant.

Second, Waldo fails to inherently teach or suggest Applicant's claimed ***generating and forwarding a notification message that identifies the new application or process to the network management station*** in response to receiving a registration service request. The MPEP at §2112 states that "to establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.'" MPEP §2112 quoting In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999). Applicant believes that this standard is not met in Waldo.

Waldo fails to make clear that a notification message that identifies a new application or process is generated and forwarded to a client. Waldo does teach a lookup service that invokes a callback routine that has been registered by a client and passes registered objects as parameters to notify the clients of the occurrence of an event, such as the adding of a new service to the lookup service. See Col. 12, lines 12-18. However, Waldo fails to make clear whether a notification message that identifies the new service is used to invoke the callback routine and pass registered objects to notify the client.

Rather, Waldo is silent as to how the callback routine is actually invoked and the objects are actually passed to the client.

Because Waldo fails to teach either expressly or inherently Applicant's claimed element of "in response to receiving the registration service request at the process manager, ***generating and forwarding a notification message that identifies the new application or process to the network management station***," Applicant believes that Waldo is legally precluded from rendering Applicant's claimed invention anticipated under 35 U.S.C. §102.

§103

At paragraph 9 of the Office action, claims 8, 13 and 15 were rejected under 35 U.S.C. §103 as being unpatentable over "Monitoring Distributed Systems" by Joyce et al., hereinafter "Joyce," in further view of U.S. Patent 5,655,081 to Bonnell et al., hereinafter "Bonnell."

Claim 8 recites:

> 8. A computer workstation for use in a computer network having at least one process manager, the workstation comprising:
> at least one application or process;
> a network communication facility;
> a user interface application; and
> a configuration service layer in communicating relationship with the at least one application or process and the network communications facility,
> wherein the at least one application or process and the configuration service layer cooperate to ***generate and issue***, through the network communication facility, ***a registration service request*** to the at least one process manager ***upon opening of the at least one application or process*** at the computer workstation and wherein the process manager is configured to generate and forward a notification message that identifies the new

application or process to the user interface application in response to receiving the registration service request.

Applicant submits that neither Joyce nor Bonnell teach or suggest, either individually or combined, Applicant's claimed generating and issuing ***a registration service request*** to a process manager ***upon opening of an application or process***. Both Joyce and Bonnell teach monitoring events and reporting the events. However, neither Joyce nor Bonnell teach or suggest ***generating and issuing a registration service request... upon opening an application or process***.

Examiner appears to equate Applicant's application/process cooperating with a configuration service layer to "generate and issue... a registration service request... upon opening an application or process," with Joyce's "when a monitorable process enters a Jipc system, or is created, it is automatically included in any monitoring session active on its host machine...", "a monitorable event occurs whenever a process initiates or completes... entering or leaving a Jipc system..." and "monitoring information is collected automatically, and all consoles receiver monitoring information in a predefined format from a single controller..." Applicant respectfully disagrees with this equivalence.

Joyce fails to provide any teaching or suggestion for Applicant's registration service requests that are generated or issued upon a creating a process or entering a process into a Jipc system. Joyce does describe using an IPC mechanism to collect events generated by application processes. See §2.3.4, p. 130. However, Joyce does not describe or even suggest that the IPC mechanism cooperates with the application to generate and issue a registration service request upon creating a process or entering a process

into a Jipc system. In fact, Joyce fails to describe or suggest generating and issuing a registration service request at all.

Bonnell describes registrations but as they relate to registering to receive information about an event **before** the event occurs. See Bonnell, Col. 7, lines 14-31, Fig. 19 and Fig. 25. Claim 8, on the other hand, recites generating and issuing a registration request after an event (i.e., the opening of an application or process) occurs which is different than Bonnell which teaches registering to receive an event before it occurs not afterwards.

For reasons set forth above, Applicant respectfully urges that neither Joyce nor Bonnell render Applicant's claimed invention obvious under 35 U.S.C. §103.

All independent claims are believed to be in condition for allowance. All dependent claims are dependent on believed to be allowable independent claims and are therefore believed to be in condition for allowance.

Quick favorable action is respectfully requested.

If the Examiner deems an interview with Applicant's counsel is necessary, the Examiner may reach Applicant's counsel at (617) 951-3075.

PATENTS
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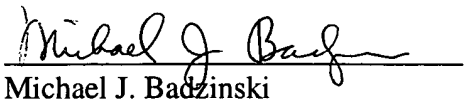
Respectfully submitted,



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